Information Disclosure Statement

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: December 17 2009 Signature

Docket No.: 101896-1089 (DEP6244USPCT (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

David G. Malone

Application No.: 10/812,837

Filed: March 30, 2004

For:

DEVICES AND METHODS FOR

FACILITATING CONTROLLED BONE

GROWTH OR REPAIR

Confirmation No.: 5590

Art Unit: 3738

Examiner: A. J. Stewart

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Dear Sir:

Assignee, DePuy Spine, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: December 17, 2009

Respectfully submitted,

Lisa Adams

Registration No.: 44,238

NUTTER MCCLENNEN & FISH LLP

World Trade Center West 155 Seaport Boulevard

Boston, Massachusetts 02210-2604

(617) 439-2550 (617) 310-9550

Attorney for Applicant